APPEAL, CAP, CAT B

U.S. District Court District of Columbia (Washington, DC) CRIMINAL DOCKET FOR CASE #: 1:21-cr-00498-CJN-1

Case title: USA v. TAAKE

Magistrate judge case number: 1:21-mj-00534-ZMF

Date Filed: 07/30/2021

Assigned to: Judge Carl J. Nichols

Appeals court case number: 22–3071

Defendant (1)

ANDREW QUENTIN TAAKE

represented by Michael E. Lawlor

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ATTORNEY TO BE NOTICED

Designation: Retained

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Designation: Pro Bono

Pending Counts

18:231(a)(3); CIVIL DISORDER; Civil Disorder

(1)

18 U.S.C. 231(a)(3); CIVIL DISORDER;

Civil Disorder

(1s)

Disposition

Dismissed on Oral Motion by the

Government.

Dismissed on Oral Motion by the

Government.

18:1512(c)(2) and 2; TAMPERING WITH A WITNESS, VICTIM OR INFORMANT; Obstruction of an Official Proceeding and Aiding and Abetting (2)

18 U.S.C. 1512(c)(2) and 2; TAMPERING WITH A WITNESS, VICTIM OR INFORMANT; Obstruction of an Official Proceeding and Aiding and Abetting (2s)

18:111(a)(1) and (b); ASSAULTING/RESISTING/IMPEDING OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers Using a Dangerous Weapon (3–4)

18 U.S.C. 111(a)(1) and (b); ASSAULTING/RESISTING/IMPEDING OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers Using a Dangerous Weapon (3s)

18 U.S.C. 111(a)(1) and (b); ASSAULTING/RESISTING/IMPEDING OFFICERS/EMPLOYEES; Assaulting, Resisting, or Impeding Certain Officers Using a Dangerous Weapon (4s)

18:1752(a)(1) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building or Grounds with a Deadly or Dangerous Weapon (5)

18 U.S.C. 1752(a)(1) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT; Entering and Remaining in a Restricted Building or Grounds with a Deadly or Dangerous Weapon (5s)

18:1752(a)(2) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a Deadly or Dangerous Weapon (6) Dismissed on Oral Motion by the Government.

Dismissed on Oral Motion by the Government.

Dismissed on Oral Motion by the Government.

Defendant Sentenced to Seventy–Four (74) Months of Incarceration followed by Thirty–Six (36) Months of Supervised Release (with conditions). Defendant further Ordered to pay \$2000.00 Restitution and \$100 Special Assessment. No Fine imposed.

Dismissed on Oral Motion by the Government.

18 U.S.C. 1752(a)(2) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT; Disorderly and Disruptive Conduct in a Restricted Building or Grounds with a Deadly or Dangerous Weapon (6s)

18:1752(a)(4) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT; Engaging in Physical Violence in a Restricted Building or Grounds with a Deadly or Dangerous

Weapon (7)

(7s)

18 U.S.C. 1752(a)(4) and (b)(1)(A); TEMPORARY RESIDENCE OF THE PRESIDENT; Engaging in Physical Violence in a Restricted Building or Grounds with a Deadly or Dangerous Weapon

40:5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Disorderly Conduct in a Capitol Building (8)

40 U.S.C. 5104(e)(2)(D); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Disorderly Conduct in a Capitol Building (8s)

40:5104(e)(2)(E); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Impeding Passage Through the Capitol Grounds or Buildings (9)

40 U.S.C. 5104(e)(2)(E); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Impeding Passage Through the Capitol Grounds or Buildings (9s)

40:5104(e)(2)(F); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Act of Physical Violence in the Capitol Grounds or Buildings (10) Dismissed on Oral Motion by the Government.

40 U.S.C. 5104(e)(2)(F); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Act of Physical Violence in a Capitol Grounds or Buildings (10s)

40:5104(e)(2)(G); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Parading, Demonstrating, or Picketing in a Capitol Building (11)

40 U.S.C. 5104(e)(2)(G); VIOLENT ENTRY AND DISORDERLY CONDUCT ON CAPITOL GROUNDS; Parading, Demonstrating, or Picketing in a Capitol Building (11s) Dismissed on Oral Motion by the Government.

Dismissed on Oral Motion by the Government.

Dismissed on Oral Motion by the Government.

Highest Offense Level (Opening)

Felony

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints

COMPLAINT in Violation of 18:1512(c)(2), 18:111(a)(1) and (b), 18:231(a)(3), 18:1752(a)(1),(2) and (4), 40:5104(e)(2)(D)(E)(F)and (G)

Disposition

Disposition

Plaintiff

USA

represented by Barry Kent Disney, I

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Date Filed	#	Docket Text
07/21/2021	1	SEALED COMPLAINT as to ANDREW QUENTIN TAAKE (1). (Attachments: # 1 Statement of Facts) (bb) Modified on 7/23/2021 (bb). [1:21-mj-00534-ZMF] (Entered: 07/22/2021)
07/21/2021	<u>3</u>	MOTION to Seal Case by USA as to ANDREW QUENTIN TAAKE. (Attachments: # 1 Text of Proposed Order)(bb) Modified on 7/23/2021 (bb). [1:21-mj-00534-ZMF] (Entered: 07/22/2021)
07/21/2021	<u>4</u>	

		ORDER granting <u>3</u> Motion to Seal Case as to ANDREW QUENTIN TAAKE (1). Signed by Magistrate Judge Zia M. Faruqui on 7/21/2021. (bb) Modified on 7/23/2021 (bb). [1:21-mj-00534-ZMF] (Entered: 07/22/2021)
07/23/2021	<u>5</u>	Arrest Warrant Returned Executed on 7/23/2021 in Houston, TX as to ANDREW QUENTIN TAAKE. (bb) [1:21-mj-00534-ZMF] (Entered: 07/27/2021)
07/23/2021		Arrest of ANDREW QUENTIN TAAKE in Texas. (bb) [1:21-mj-00534-ZMF] (Entered: 07/27/2021)
07/23/2021		Case unsealed as to ANDREW QUENTIN TAAKE (bb) [1:21-mj-00534-ZMF] (Entered: 07/27/2021)
07/30/2021	<u>6</u>	INDICTMENT as to ANDREW QUENTIN TAAKE (1) count(s) 1, 2, 3–4, 5, 6, 7, 8, 9, 10, 11. (zstd) (Entered: 08/01/2021)
08/05/2021	9	NOTICE OF ATTORNEY APPEARANCE: Michael E. Lawlor appearing for ANDREW QUENTIN TAAKE (Lawlor, Michael) (Entered: 08/05/2021)
08/05/2021	<u>10</u>	NOTICE of Filing – Discovery Letter by ANDREW QUENTIN TAAKE (Attachments: # 1 Supplement Discovery Letter)(Lawlor, Michael) (Entered: 08/05/2021)
08/05/2021	<u>11</u>	Appearance Pro Bono by Nicholas George Madiou on behalf of ANDREW QUENTIN TAAKE (Madiou, Nicholas) (Entered: 08/05/2021)
08/11/2021		MINUTE ORDER as to ANDREW QUENTIN TAAKE (1). The Court has been advised that ANDREW QUENTIN TAAKE (1) was held without bond pending trial by a magistrate judge in the Southern District of Texas and was ordered committed to the District of Columbia. Upon review of the docket in this jurisdiction, the docket in the jurisdiction of arrest, and after consultation with counsel where necessary, the Court has confirmed that: Defendant has had a full Rule 5 initial appearance in the jurisdiction of arrest; Defendant has been found eligible for court—appointed counsel by a magistrate judge in the District of Columbia and the Office of the Federal Public Defender for the District of Columbia is locating counsel to represent him; and Defendant has been charged by Indictment. As such, there are no matters necessitating action by a magistrate judge that will need to be addressed upon Defendant's arrival in the local jurisdiction. The parties are therefore directed to contact the assigned District Judge to schedule a status hearing and arraignment, if one has not yet been set. The parties are instructed to address any requests to toll the Speedy Trial Act to the assigned District Judge. Signed by Magistrate Judge Robin M. Meriweather on 8/11/2021. (zpt) (Entered: 08/12/2021)
09/23/2021		Set/Reset Hearings as to ANDREW QUENTIN TAAKE: Arraignment / Status Conference set for 10/6/2021 at 02:00 PM in Courtroom 19– In Person before Judge Carl J. Nichols. (zcal) (Entered: 09/23/2021)
09/23/2021		Set/Reset Hearings as to ANDREW QUENTIN TAAKE: Arraignment / Status Conference RESET for 10/6/2021 at 01:30 PM in Courtroom 19– In Person before Judge Carl J. Nichols. Note time change. (zcal) (Entered: 09/23/2021)
10/05/2021	<u>12</u>	Unopposed MOTION for Protective Order by USA as to ANDREW QUENTIN TAAKE. (Attachments: # 1 Text of Proposed Order)(Hill, Laura) (Entered: 10/05/2021)
10/06/2021	<u>13</u>	

		Protective Order. Upon consideration of the United States' <u>12</u> Unopposed Motion for Protective Order, the motion is hereby GRANTED. Signed by Judge Carl J. Nichols on October 6, 2021. (lccjn3) (Entered: 10/06/2021)
10/06/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: Initial Appearance/Status Conference / Arraignment as to ANDREW QUENTIN TAAKE (1): Count 1,2,3–4,5,6,7,8,9,10,11 held on 10/6/2021. NOT GUILTY Plea as to all counts. Speedy Trial as to ANDREW QUENTIN TAAKE is Excluded from 10/6/2021 to 12/7/2021, in the Interest of Justice, XT. Protective Order to be issued by the Court. Status Conference set for 12/7/2021 at 02:00 PM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant Committed/ Commitment Issued; Court Reporter: Lorraine Herman; Defense Attorney: Michael Lawlor; US Attorney: Laura Hill. (zcal) (Entered: 10/06/2021)
10/08/2021	14	NOTICE of Filing by USA as to ANDREW QUENTIN TAAKE (Attachments: # 1 Notice to Counsel/Party, # 2 Exhibit, # 3 Notice to Counsel/Party, # 4 Notice to Counsel/Party)(Hill, Laura) Modified text on 10/11/2021 (zstd). (Entered: 10/08/2021)
10/22/2021	<u>15</u>	MOTION for Order to Disclose 6(e) Protected and Sealed Materials by USA as to ANDREW QUENTIN TAAKE. (Attachments: # 1 Text of Proposed Order)(Hill, Laura) Modified event on 10/22/2021 (zstd). (Entered: 10/22/2021)
10/22/2021	<u>16</u>	NOTICE re: Status of Discovery by USA as to ANDREW QUENTIN TAAKE (Hill, Laura) (Entered: 10/22/2021)
10/26/2021		MINUTE ORDER. Upon consideration of the United States' 15 Motion for an Order to Disclose, it is hereby ORDERED that the Motion is GRANTED. The United States may provide discovery materials protected by Federal Rule of Criminal Procedure 6(e). It is further ORDERED that the United States may provide in discovery sealed materials, pursuant to the previously entered protective order governing discovery. This Minute Order applies to the disclosure of materials described above to any co–defendants who may later be joined. Signed by Judge Carl J. Nichols on October 26, 2021. (lccjn3) (Entered: 10/26/2021)
10/29/2021	<u>17</u>	SUPERSEDING INDICTMENT as to ANDREW QUENTIN TAAKE (1) count(s) 1s, 2s, 3s–4s, 5s, 6s, 7s, 8s, 9s, 10s, 11s. (zltp) (Entered: 11/01/2021)
11/09/2021	<u>19</u>	NOTICE Regarding Status of Discovery as of November 5, 2021 by USA as to ANDREW QUENTIN TAAKE (Hill, Laura) (Entered: 11/09/2021)
12/07/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: VTC Arraignment/Status Conference as to ANDREW QUENTIN TAAKE (1) as to Count 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s, 9s, 10s, and 11s held on 12/7/2021. Defendant appeared by video. Plea of NOT GUILTY entered as to ALL counts. Speedy Trial Excludable (XT) started 12/7/2021 through 2/8/2022, in the interest of justice. VTC Hearing set for 12/14/2021 at 3:30 PM before Judge Carl J. Nichols. VTC Status Conference set for 2/8/2022 at 2:00 PM before Judge Carl J. Nichols. Bond Status of Defendant: Remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Michael E. Lawlor; US Attorney: Laura Elizabeth Hill. (zkh) (Entered: 12/07/2021)
12/14/2021		Minute Entry for proceedings held before Judge Carl J. Nichols: Video Status Conference as to ANDREW QUENTIN TAAKE held on 12/14/2021. Medical/Mental Health Alert issued to the Department of Corrections Medical Unit as to ANDREW QUENTIN TAAKE. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Michael Lawlor; US Attorney: Laura

		Hill. (zcal) (Entered: 12/14/2021)
12/21/2021	<u>20</u>	Rule 5(c)(3) Documents Received as to ANDREW QUENTIN TAAKE from US District Court Southern District of Texas Houston Division Case Number 4:21–mj–1612 (bb) (Entered: 12/21/2021)
02/08/2022		Minute Entry for proceedings held before Judge Carl J. Nichols: Video Status Conference as to ANDREW QUENTIN TAAKE held on 2/8/2022. Speedy Trial as to ANDREW QUENTIN TAAKE is Excluded from 2/8/2022 to 4/1/2022, in the Interest of Justice, XT. Status Conference set for 4/1/2022 at 11:30 AM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Michael Lawlor; US Attorney: Laura Hill. (zcal) (Entered: 02/08/2022)
03/25/2022	21	Consent MOTION to Continue Status Conference and Exclusion of Time from Calculation Under the Speedy Trial Act by ANDREW QUENTIN TAAKE. (Attachments: # 1 Text of Proposed Order)(Lawlor, Michael) (Entered: 03/25/2022)
03/25/2022	22	MOTION to Exclude by ANDREW QUENTIN TAAKE. (See docket entry <u>21</u> to view document.) (zstd) (Entered: 03/28/2022)
03/31/2022		MINUTE ORDER as to ANDREW QUENTIN TAAKE (1). Upon consideration of Defendant's <u>21</u> Consent Motion to Continue Status Conference and Exclusion of Time from Calculation under the Speedy Trial Act, it is hereby ORDERED that the Consent Motion is GRANTED. The status conference scheduled for Friday, April 1, 2022 at 11:30 am is hereby CONTINUED to April 8, 2022 at 10:00 am. Signed by Judge Carl J. Nichols on March 31, 2022. (lccjn3) (Entered: 03/31/2022)
04/08/2022		Minute Entry for proceedings held before Judge Carl J. Nichols: Video Status Conference as to ANDREW QUENTIN TAAKE held on 4/8/2022. Speedy Trial as to ANDREW QUENTIN TAAKE is Excluded from 4/1/2022 to 5/20/2022, in the Interest of Justice, XT. Defense Status Report due by 4/19/2022. Status Conference set for 5/20/2022 at 10:00 AM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Michael Lawlor; US Attorney: Laura Hill. (zcal) (Entered: 04/08/2022)
04/08/2022	<u>23</u>	NOTICE OF ATTORNEY APPEARANCE Barry Kent Disney, I appearing for USA. (Disney, Barry) (Entered: 04/08/2022)
05/06/2022		MINUTE ORDER as to ANDREW QUENTIN TAAKE. It is hereby ORDERED that the status conference set in this matter for May 20, 2022, at 10:00 am is hereby RESCHEDULED to May 11, 2022, at 10:00 am. The status conference will take place via videoconference. Signed by Judge Carl J. Nichols on May 6, 2022. (lccjn3) (Entered: 05/06/2022)
05/06/2022		Set/Reset Hearings as to ANDREW QUENTIN TAAKE: Status Conference RESET for 5/11/2022 at 10:00 AM in Telephonic/VTC before Judge Carl J. Nichols. (zcal) (Entered: 05/06/2022)
05/07/2022	24	NOTICE OF WITHDRAWAL OF APPEARANCE by USA as to ANDREW QUENTIN TAAKE (Hill, Laura) (Entered: 05/07/2022)
05/10/2022	<u>25</u>	MOTION for Appropriate Relief – Request to Transfer to DC Department of Corrections or Facility Closer to the District of Columbia by ANDREW QUENTIN TAAKE. (Attachments: # 1 Text of Proposed Order)(Lawlor, Michael) (Entered:

		05/10/2022)
05/11/2022		Minute Entry for proceedings held before Judge Carl J. Nichols: Video Status Conference as to ANDREW QUENTIN TAAKE held on 5/11/2022. Speedy Trial as to ANDREW QUENTIN TAAKE is Excluded from 5/11/2022 to 6/16/2022, in the Interest of Justice, XT. Government Response due by 5/13/2022. Defense Reply due by 5/17/2022. Status Conference set for 6/16/2022 at 11:00 AM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Michael Lawlor; US Attorney: Barry Disney, I. (zcal) (Entered: 05/11/2022)
05/11/2022	<u>26</u>	RESPONSE by USA as to ANDREW QUENTIN TAAKE re <u>25</u> MOTION for Appropriate Relief – Request to Transfer to DC Department of Corrections or Facility Closer to the District of Columbia (Disney, Barry) (Entered: 05/11/2022)
06/15/2022		Set/Reset Hearings as to ANDREW QUENTIN TAAKE: Status Conference RESET for 7/7/2022 at 02:00 PM in Telephonic/VTC before Judge Carl J. Nichols. (zcal) (Entered: 06/15/2022)
07/07/2022		Minute Entry for proceedings held before Judge Carl J. Nichols: Video Status Conference as to ANDREW QUENTIN TAAKE held on 7/7/2022. Speedy Trial as to ANDREW QUENTIN TAAKE is Excluded from 7/7/2022 to 9/23/2022, in the Interest of Justice, XT. Meet and Confer by 7/13/2022. Defense Motion due by 7/15/2022. Government Response due by 7/29/2022. Defense Reply due by 8/5/2022. Further Orders to be issued by the Court. Status Conference set for 9/23/2022 at 03:00 PM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Michael Lawlor; US Attorney: Barry Disney, I. (zcal) (Entered: 07/07/2022)
07/07/2022	28	ORDER as to ANDREW QUENTIN TAAKE. Signed by Judge Carl J. Nichols on July 7, 2022. (lccjn3) (Entered: 07/07/2022)
07/15/2022	<u>29</u>	MOTION to Dismiss Count <i>Two of the First Superseding Indictment</i> by ANDREW QUENTIN TAAKE. (Lawlor, Michael) (Entered: 07/15/2022)
07/25/2022	<u>31</u>	Supplement 29 Motion to Dismiss Count Two of the First Superseding Indictment by ANDREW QUENTIN TAAKE. (Lawlor, Michael) Modified to add link on 7/25/2022 (zstd). (Entered: 07/25/2022)
08/04/2022	32	MOTION for Extension of Time to File Response/Reply to <u>29</u> MOTION to Dismiss Count <i>Two of the First Superseding Indictment</i> , <u>31</u> MOTION Supplement to Motion to Dismiss Count Two of the First Superseding Indictment by USA as to ANDREW QUENTIN TAAKE. (Disney, Barry) Modified Text on 8/4/2022 (zhsj). (Entered: 08/04/2022)
08/08/2022	<u>33</u>	RESPONSE by USA as to ANDREW QUENTIN TAAKE re 29 MOTION to Dismiss Count <i>Two of the First Superseding Indictment</i> (Disney, Barry) (Entered: 08/08/2022)
08/08/2022	<u>34</u>	RESPONSE by USA as to ANDREW QUENTIN TAAKE re 31 MOTION Supplement to Motion to Dismiss Count Two of the First Superseding Indictment (Disney, Barry) (Entered: 08/08/2022)
08/15/2022		MINUTE ORDER as to ANDREW QUENTIN TAAKE. Upon consideration of the government's <u>32</u> Motion to Extend Deadline, it is hereby ORDERED that the Motion is GRANTED. The <u>33</u> and <u>34</u> Responses are deemed timely filed. Signed by Judge Carl J. Nichols on August 15, 2022. (lccjn3) (Entered: 08/15/2022)

08/18/2022	<u>35</u>	NOTICE Protective Order Governing Discovery (Signed) by ANDREW QUENTIN TAAKE (Lawlor, Michael) (Entered: 08/18/2022)
09/02/2022	<u>36</u>	ORDER as to ANDREW QUENTIN TAAKE. Signed by Judge Carl J. Nichols on September 2, 2022. (lccjn3) (Entered: 09/02/2022)
09/21/2022		Set/Reset Hearings as to ANDREW QUENTIN TAAKE: Status Conference RESET for 10/4/2022 at 02:00 PM in Telephonic/VTC before Judge Carl J. Nichols. (zcal) (Entered: 09/21/2022)
09/30/2022	<u>37</u>	NOTICE OF ATTORNEY APPEARANCE Elizabeth Harper Danello appearing for USA. (Danello, Elizabeth) (Entered: 09/30/2022)
09/30/2022	<u>38</u>	NOTICE OF APPEAL (Interlocutory) by USA as to ANDREW QUENTIN TAAKE re 36 Order. Fee Status: No Fee Paid. Parties have been notified. (Danello, Elizabeth) (Entered: 09/30/2022)
09/30/2022	<u>39</u>	Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The Court of Appeals docketing fee was not paid because the appeal was filed by the government as to ANDREW QUENTIN TAAKE re 38 Notice of Appeal – Interlocutory. (zstd) (Entered: 09/30/2022)
10/03/2022		USCA Case Number as to ANDREW QUENTIN TAAKE 22–3071 for <u>38</u> Notice of Appeal – Interlocutory filed by USA. (zstd) (Entered: 10/03/2022)
10/04/2022		Minute Entry for proceedings held before Judge Carl J. Nichols: Video Status Conference as to ANDREW QUENTIN TAAKE held on 10/4/2022. Speedy Trial as to ANDREW QUENTIN TAAKE is Excluded from 9/23/2022 to 10/26/2022, in the Interest of Justice, XT. Government Motion due by 10/14/2022. Defense Response due by 10/21/2022. Status Conference set for 10/26/2022 at 02:00 PM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Nicholas Madiou; US Attorney: Barry Disney, I. (zcal) (Entered: 10/05/2022)
10/07/2022	<u>40</u>	ORDER granting 30 as to ANDREW QUENTIN TAAKE. Signed by Judge Carl J. Nichols on October 7, 2022. (lccjn3) (Entered: 10/07/2022)
10/11/2022	41	NOTICE OF WITHDRAWAL OF APPEARANCE by USA as to ANDREW QUENTIN TAAKE (Danello, Elizabeth) (Entered: 10/11/2022)
10/14/2022	43	NOTICE of Position on Stay Pending Appeal by USA as to ANDREW QUENTIN TAAKE re Speedy Trial – Excludable Start,,, Speedy Trial – Excludable Stop,,, Status Conference,,, Set Deadlines/Hearings,, (Disney, Barry) (Entered: 10/14/2022)
10/19/2022		MINUTE ORDER. Upon consideration of Defendant's Sealed Motion for Leave to File Document Under Seal <u>42</u> , it is hereby ordered that the motion is GRANTED. Additionally, the government is ORDERED to file a response on or before October 24, 2022. Signed by Judge Carl J. Nichols on October 19, 2022. (lccjn3) (Entered: 10/19/2022)
10/19/2022		Set/Reset Deadlines as to ANDREW QUENTIN TAAKE: Response due by 10/24/2022 (zcal) (Entered: 10/20/2022)
10/21/2022	<u>45</u>	RESPONSE by ANDREW QUENTIN TAAKE re <u>43</u> Notice (Other) (Lawlor, Michael) (Entered: 10/21/2022)
10/26/2022		

		Minute Entry for proceedings held before Judge Carl J. Nichols: Video Status Conference as to ANDREW QUENTIN TAAKE held on 10/26/2022. Speedy Trial as to ANDREW QUENTIN TAAKE is Excluded from 10/26/2022 to 11/29/2022, in the Interest of Justice, XT. Motion 25; Taken under Advisement. Status Conference set for 11/29/2022 at 03:00 PM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Michael Lawlor, Nicholas Madiou, and Adam Demetriou; US Attorney: Barry Disney, I. (zcal) (Entered: 10/26/2022)
11/29/2022		Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference as to ANDREW QUENTIN TAAKE held on 11/29/2022. Speedy Trial as to ANDREW QUENTIN TAAKE is Excluded from 11/29/2022 to 1/10/2023, in the Interest of Justice, XT. Status Conference set for 1/10/2023 at 01:00 PM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Lisa Griffith; Defense Attorney: Michael Lawlor; US Attorney: Barry Disney, I. (zcam) (Entered: 11/29/2022)
12/07/2022		Set/Reset Hearings as to ANDREW QUENTIN TAAKE:Status Conference RESET for 1/11/2023 at 03:00 PM in Telephonic/VTC before Judge Carl J. Nichols due to jail availability. (zcam) (Entered: 12/07/2022)
01/11/2023		Minute Entry for proceedings held before Judge Carl J. Nichols: Telephone Status Conference as to ANDREW QUENTIN TAAKE held on 1/11/2023. Speedy Trial as to ANDREW QUENTIN TAAKE is Excluded from 1/10/2023 to 2/15/2023, in the Interest of Justice, XT. Government filing due by 1/27/2023. Status Conference set for 2/15/2023 at 02:30 PM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Nicholas Madiou; US Attorney: Benet Kearney for Barry Disney, I. (zcam) (Entered: 01/12/2023)
02/23/2023	<u>49</u>	Consent MOTION for Extension of Time to File Reply and Continue Status Conference and Exclusion of Time from Calculation Under the Speedy Trial Act by ANDREW QUENTIN TAAKE. (Attachments: # 1 Text of Proposed Order)(Lawlor, Michael) (Entered: 02/23/2023)
02/23/2023	50	MOTION to Continue and Exclude by ANDREW QUENTIN TAAKE. (See docket entry 49 to view document.) (zstd) (Entered: 02/23/2023)
02/23/2023		MINUTE ORDER. Upon consideration of <u>49</u> Consent Motion to Continue, it is hereby ORDERED that the Motion is GRANTED. Defendant shall file his reply on or before March 24, 2023. It is further ORDERED that the status conference currently set for February 27, 2023, is reset for March 31, 2023, at 2:00 PM EST by video. Signed by Judge Carl J. Nichols on February 23, 2023. (lccjn3) (Entered: 02/23/2023)
02/23/2023		Set/Reset Deadlines/Hearings as to ANDREW QUENTIN TAAKE:Status Conference set for 3/31/2023 at 2:00 PM Via Video before Judge Carl J. Nichols. Defendant Reply due 3/24/2023. (mac) (Entered: 02/23/2023)
03/22/2023	<u>51</u>	Unopposed MOTION for Extension of Time to File <i>Reply and Continue Status Conference and Exclusion of Time from Calculation under the Speedy Trial Act</i> by ANDREW QUENTIN TAAKE. (Attachments: # <u>1</u> Text of Proposed Order)(Lawlor, Michael) (Entered: 03/22/2023)
03/22/2023	52	MOTION to Continue and to Exclude by ANDREW QUENTIN TAAKE. (See docket entry 51 to view document.) (zstd) (Entered: 03/23/2023)

		MINUTE ORDER. Upon consideration of <u>56</u> Unopposed Motion to Continue, it is hereby ORDERED that the Motion is GRANTED. The status conference set for May 31, 2023, is reset for July 5, 2023, at 2 PM by video. The Court finds that the ends of justice are best served and outweigh the interest of the public and Defendant Taake in a speedy trial and that the time between May 31, 2023, and July 5, 2023, shall be excluded in computing time within which the trial must commence in this case under the Speedy Trial Act, 18 U.S.C. § 3161. Signed by Judge Carl J. Nichols on May 30, 2023. (lccjn3) (Entered: 05/30/2023)
05/30/2023	57	MOTION to Exclude by ANDREW QUENTIN TAAKE. (See docket entry <u>56</u> to view document.) (zstd) (Entered: 05/31/2023)
06/05/2023	<u>58</u>	NOTICE OF ATTORNEY APPEARANCE Madison Mumma appearing for USA. (Mumma, Madison) (Entered: 06/05/2023)
06/29/2023	<u>59</u>	Unopposed MOTION to Continue <i>Status Conference and Exclusion of Time from Calculation Under the Speedy Trial Act</i> by ANDREW QUENTIN TAAKE. (Attachments: # 1 Text of Proposed Order)(Lawlor, Michael) (Entered: 06/29/2023)
06/29/2023	60	MOTION to Exclude by ANDREW QUENTIN TAAKE. (See docket entry <u>59</u> to view document.) (zstd) (Entered: 06/29/2023)
06/30/2023		MINUTE ORDER. Upon consideration of <u>59</u> Unopposed Motion to Continue, it is hereby ORDERED that the Motion is GRANTED. The status conference set for July 5, 2023, is hereby reset for July 25, 2023, at 1:00 PM by video. Signed by Judge Carl J. Nichols on June 30, 2023. (lccjn3) (Entered: 06/30/2023)
06/30/2023		Set/Reset Hearings as to ANDREW QUENTIN TAAKE:Video Status Conference set for 7/25/2023 at 01:00 PM before Judge Carl J. Nichols. (mac) (Entered: 06/30/2023)
07/25/2023		Minute Entry for proceedings held before Judge Carl J. Nichols: Video Status Conference as to ANDREW QUENTIN TAAKE held on 7/25/2023. Speedy Trial as to ANDREW QUENTIN TAAKE is Excluded from 7/25/2023 to 8/25/2023, in the Interest of Justice, XT. Status Conference set for 8/25/2023 at 01:00 PM in Telephonic/VTC before Judge Carl J. Nichols. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Jeff Hook; Defense Attorney: Michael Lawlor; US Attorney: Madison Mumma. (zcam) (Entered: 07/25/2023)
08/23/2023	61	Unopposed MOTION to Continue by USA as to ANDREW QUENTIN TAAKE. (Mumma, Madison) (Entered: 08/23/2023)
08/23/2023	62	MOTION to Exclude Time Under the Speedy Trial Act by USA as to ANDREW QUENTIN TAAKE. (See docket entry <u>61</u> to view document.) (zstd) (Entered: 08/23/2023)
08/23/2023		MINUTE ORDER. Upon consideration of <u>61</u> Motion to Continue, it is hereby ORDERED that the Motion is DENIED. Signed by Judge Carl J. Nichols on August 23, 2023. (lccjn3) (Entered: 08/23/2023)
08/25/2023		Minute Entry for proceedings held before Judge Carl J. Nichols: Video Status Conference as to ANDREW QUENTIN TAAKE held on 8/25/2023. Speedy Trial as to ANDREW QUENTIN TAAKE is Excluded from 8/25/2023 to 9/8/2023, in the Interest of Justice, XT. Parties' Submission due by 9/8/2023. Bond Status of Defendant: Defendant remains Committed; Court Reporter: Lorraine Herman; Defense Attorney: Michael Lawlor; US Attorney: Kaitlin Klamann for Madison Mumma. (zcam) (Entered: 08/25/2023)

09/08/2023	<u>63</u>	Joint STATUS REPORT <i>and Motion to Exclude Time</i> by USA as to ANDREW QUENTIN TAAKE (Mumma, Madison) (Entered: 09/08/2023)
09/08/2023	64	MOTION to Exclude Time Under the Speedy Trial Actby USA as to ANDREW QUENTIN TAAKE. (See Docket Entry <u>63</u> to View Document). (zhsj) (Entered: 09/11/2023)
09/19/2023	<u>65</u>	CONSENT Motion for Appropriate Relief by ANDREW QUENTIN TAAKE. (Attachments: # 1 Text of Proposed Order)(Lawlor, Michael) Modified text on 9/19/2023 (zstd). (Entered: 09/19/2023)
09/22/2023		NOTICE OF HEARING as to ANDREW QUENTIN TAAKE: Status Conference set for 9/25/2023 at 2:00 PM in Courtroom 17– In Person before Judge Carl J. Nichols. (lccjn3) Modified to correct formatting on 9/25/2023 (zkh). (Entered: 09/22/2023)
09/25/2023		Set/Reset Hearings as to ANDREW QUENTIN TAAKE: Status Conference set for 9/25/2023 at 2:00 PM in Courtroom 17 before Judge Carl J. Nichols. (zkh) (Entered: 09/25/2023)
09/27/2023		MINUTE ORDER. Upon consideration of <u>65</u> CONSENT Motion for Appropriate Relief by ANDREW QUENTIN TAAKE, it is hereby ORDERED that the Motion is GRANTED and that the D.C. Department of Corrections and USP Lewisburg (U.S. Marshals) shall release any and all medical records pertaining to Defendant during his time of incarceration on this case to defense counsel. So Ordered by Judge Carl J. Nichols on 09/27/2023. (lccjn3) (Entered: 09/27/2023)
11/08/2023		NOTICE OF HEARING as to ANDREW QUENTIN TAAKE: Status Conference set for 11/21/2023 at 03:00 PM in Telephonic/VTC before Judge Carl J. Nichols. (zcam) (Entered: 11/08/2023)
11/21/2023		Set/Reset Hearings as to ANDREW QUENTIN TAAKE: Status Conference/ Possible Plea RESET for 12/20/2023 at 11:00 AM in Telephonic/VTC before Judge Carl J. Nichols. (zcam) (Entered: 11/21/2023)
12/18/2023		Set/Reset Hearings as to ANDREW QUENTIN TAAKE: Plea Agreement Hearing set for 12/20/2023 at 11:00 AM in Courtroom 17– In Person before Judge Carl J. Nichols. (zcam) (Entered: 12/18/2023)
12/20/2023		Minute Entry for proceedings held before Judge Carl J. Nichols: Plea Agreement Hearing as to ANDREW QUENTIN TAAKE held on 12/20/2023. GUILTY Plea entered by ANDREW QUENTIN TAAKE (1): Count 3s. REFERRAL TO PROBATION OFFICE for Presentence Investigation as to ANDREW QUENTIN TAAKE. Sentencing Memorandum due by 3/20/2024. Sentencing set for 3/26/2024 at 12:30 PM in Courtroom 17– In Person before Judge Carl J. Nichols. Bond Status of Defendant: Defendant Committed/ Commitment Issued; Court Reporter: Lorraine Herman; Defense Attorney: Michael Lawlor; US Attorney: Madison Mumma. (zcam) (Entered: 12/20/2023)
12/20/2023	<u>66</u>	WAIVER of Trial by Jury as to ANDREW QUENTIN TAAKE. Approved by Judge Carl J. Nichols on 12/20/2023. (zcam) (Entered: 12/20/2023)
12/20/2023	<u>67</u>	PLEA AGREEMENT as to ANDREW QUENTIN TAAKE. (zcam) (Entered: 12/20/2023)
12/20/2023	<u>68</u>	STATEMENT OF OFFENSE by USA as to ANDREW QUENTIN TAAKE. (zcam) (Entered: 12/20/2023)

03/20/2024	<u>73</u>	Consent MOTION for Extension of Time to <i>File Sentencing Memorandum</i> by ANDREW QUENTIN TAAKE. (Attachments: # 1 Text of Proposed Order)(Madiou,
		Nicholas) (Entered: 03/20/2024)
03/21/2024	74	SENTENCING MEMORANDUM by USA as to ANDREW QUENTIN TAAKE (Mumma, Madison) (Entered: 03/21/2024)
03/21/2024	<u>75</u>	NOTICE of Filing of Exhibit List for Sentencing by USA as to ANDREW QUENTIN TAAKE (Mumma, Madison) (Entered: 03/21/2024)
03/29/2024		Set/Reset Hearings as to ANDREW QUENTIN TAAKE: Sentencing reset for 4/24/2024 at 02:00 PM in Courtroom 17– In Person before Judge Carl J. Nichols. (zcam) (Entered: 03/29/2024)
04/05/2024		MINUTE ORDER. Upon consideration of Defendant ANDREW TAAKE'S <u>73</u> Consent Motion for Extension of Time to File Sentencing Memoranda, and with good cause being found, it is hereby ORDERED that the Motion is GRANTED. Defendant shall file his sentencing memorandum on or before Friday, April 12, 2024. So Ordered by Judge Carl J. Nichols on 4/5/2024. (lccjn3) (Entered: 04/05/2024)
04/12/2024	<u>76</u>	Consent MOTION for Extension of Time to File <i>Sentencing Memorandum</i> by ANDREW QUENTIN TAAKE. (Attachments: # <u>1</u> Text of Proposed Order)(Madiou, Nicholas) (Entered: 04/12/2024)
04/12/2024		MINUTE ORDER. Upon consideration of Defendant ANDREW QUENTIN TAAKE'S 76 Consent Motion for Extension of Time to File Sentencing Memorandum, it is hereby ORDERED that the Motion is GRANTED. Defendant shall file his sentencing memorandum on or before April 16, 2024. So Ordered by Judge Carl J. Nichols on 4/12/2024. (lccjn3) (Entered: 04/12/2024)
04/24/2024		Minute Entry for proceedings held before Judge Carl J. Nichols: Status Conference as to ANDREW QUENTIN TAAKE held on 4/24/2024. Case called for Sentencing but was not held. Parties email Redacted Version of Brief to Courtroom Deputy by 4/29/2024. Defense Brief due by 5/10/2024. Government Brief due by 5/17/2024. Sentencing continued to 5/23/2024 at 10:00 AM in Courtroom 17– In Person before Judge Carl J. Nichols. Bond Status of Defendant: Defendant Committed/ Commitment Issued; Court Reporter: Lorraine Herman; Defense Attorney: Michael Lawlor and Nicholas Madiou; US Attorney: Madison Mumma; Probation Officer: Crystal Lustig. (zcam) (Entered: 04/24/2024)
05/10/2024	<u>78</u>	Unopposed MOTION to Continue <i>Sentencing and Extend Briefing Schedule</i> by ANDREW QUENTIN TAAKE. (Attachments: # <u>1</u> Text of Proposed Order)(Lawlor, Michael) (Entered: 05/10/2024)
05/10/2024	79	MOTION to Extend Briefing Schedule by ANDREW QUENTIN TAAKE. (See docket entry <u>78</u> to view document.) (zstd) (Entered: 05/10/2024)
05/13/2024		MINUTE ORDER. Upon consideration of Defendant ANDREW TAAKE'S 78 Unopposed Motion to Continue the Sentencing Hearing and Extend Briefing Schedule, it is hereby ORDERED that the Motion is GRANTED. Defendant shall file his sentencing memorandum by Tuesday, May 21, 2024. The Government shall file its supplementing sentencing memorandum by Tuesday, May 28, 2024. The parties shall appear in person for a sentencing hearing before Judge Carl J. Nichols in Courtroom 17 on June 5, 2024 at 2:00 p.m. So Ordered by Judge Carl J. Nichols on 5/13/2024. (lccjn3) (Entered: 05/13/2024)

05/23/2024	80	SUPPLEMENTAL SENTENCING MEMORANDUM by ANDREW QUENTIN TAAKE (Attachments: # 1 Exhibit A)(Lawlor, Michael) Modified text on 5/23/2024 (zstd). (Entered: 05/23/2024)
05/24/2024	81	Unopposed MOTION for Extension of Time to File Response/Reply <i>to Defendant's Supplemental Sentencing Memorandum</i> by USA as to ANDREW QUENTIN TAAKE. (Mumma, Madison) (Entered: 05/24/2024)
05/28/2024		MINUTE ORDER. Upon consideration of the United States's <u>81</u> Unopposed Motion for Extension of Time, it is hereby ORDERED that the Motion is GRANTED. The United States shall file its response to Defendant ANDREW TAAKE'S <u>80</u> Supplemental Sentencing Memorandum on or before May 30, 2024. So Ordered by Judge Carl J. Nichols on 5/28/2024. (lccjn3) (Entered: 05/28/2024)
05/30/2024	<u>82</u>	Unopposed MOTION for Extension of Time to File Response/Reply <i>to Defendant's Supplemental Sentencing Memorandum</i> by USA as to ANDREW QUENTIN TAAKE. (Mumma, Madison) (Entered: 05/30/2024)
05/31/2024	83	RESPONSE by USA as to ANDREW QUENTIN TAAKE re <u>80</u> Supplemental Sentencing Memorandum (Mumma, Madison) Modified to add link on 6/3/2024 (zstd). (Entered: 05/31/2024)
06/05/2024		Minute Entry for proceedings held before Judge Carl J. Nichols: Sentencing held on 6/5/2024 as to ANDREW QUENTIN TAAKE (1): Count 3s. Defendant Sentenced to Seventy–Four (74) Months of Incarceration followed by Thirty–Six (36) Months of Supervised Release (with conditions). Defendant further Ordered to pay \$2000.00 Restitution and \$100 Special Assessment. No Fine imposed. Counts 1 – 11 and 1s – 2s, 4s – 11s Dismissed on Oral Motion by the Government. Bond Status of Defendant: Defendant Committed/ Commitment Issued; Court Reporter: Lorraine Herman; Defense Attorney: Michael Lawlor and Adam Demetriou; US Attorney: Madison Mumma; Probation Officer: Crystal Lustig. (zcam) (Entered: 06/06/2024)
06/05/2024	<u>84</u>	EXHIBIT LIST by USA as to ANDREW QUENTIN TAAKE. (zcam) (Entered: 06/06/2024)
06/06/2024	<u>85</u>	NOTICE of Filing of Victim Impact Statement by USA as to ANDREW QUENTIN TAAKE (Attachments: # 1 Exhibit Victim Impact Statement)(Mumma, Madison) (Entered: 06/06/2024)
06/18/2024	<u>86</u>	NOTICE OF APPEAL – Final Judgment by ANDREW QUENTIN TAAKE Fee Status: No Fee Paid. Parties have been notified. (Lawlor, Michael) (Entered: 06/18/2024)

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA:

:

v. : Case No. 21–498-CJN

:

ANDREW QUENTIN TAAKE

:

Defendant :

NOTICE OF APPEAL

Notice is hereby given that Andrew Quentin Taake, the Defendant in the above-captioned case, appeals to the United States Court of Appeals for the District of Columbia Circuit the judgment and sentence imposed on June 5, 2024 in this case. Mr. Taake is indigent and respectfully requests that the D.C. Circuit appoint a member of that Court's Criminal Justice Act panel to represent him on appeal.¹

Respectfully submitted,

/s/

Michael E. Lawlor Brennan, McKenna & Lawlor, Chtd. 6305 Ivy Lane, Suite 700 Greenbelt, Maryland 20770 301.474.0044

nlawlor@verizon.net

¹ The undersigned counsel was appointed to represent Mr. Taake before the District Court pursuant to the Criminal Justice Act. The undersigned counsel believes it would be appropriate for the D.C. Circuit to appoint new counsel to represent Mr. Taake on appeal.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 18, 2024, a copy of the foregoing was sent to the United States Attorney's Office for the District of Columbia, via ECF.

/s/	
Michael E. Lawlor	